

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- April 13, 1966

Appeal No. 8709 M. M. Freeman, appellant

The Zoning Administrator of the District of Columbia, appellee

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on April 27, 1966.

EFFECTIVE DATE OF ORDER: June 30, 1966

ORDERED:

That the appeal for a variance from the side yard requirements of the R-3 District to permit a second floor rear addition to the dwelling at 1409 - 35th Street, N.W., lot 807, Square 1246, be granted.

From the record and the evidence adduced at the public hearing, the Board finds the following facts:

(1) Appellant's lot is improved with a two-story semi-detached dwelling.

(2) Appellant's lot has a 15.35 foot frontage on 35th Street and depth of approximately 124 feet. The lot contains approximately 1907 square feet of land.

(3) Appellant proposes to erect a second floor rear addition over an existing one-story rear part of the building.

(4) Appellant does not now have the 8 foot side yard required for dwellings in the R-3 District.

(5) No opposition was registered at the public hearing to the granting of this appeal. The record contains a letter from an abutting property owner at 1411 - 35th Street, stating that he has no objection to the proposed addition provided no window is installed which would face his property.

OPINION:

The Board is of the opinion that the erection of this rear addition will not substantially increase the lot occupancy which is prescribed for the R-3 District. The addition to this dwelling will not be inconsistent with the present use and occupancy of the lot and will have no adverse affect upon adjacent and nearby property.

Further, the relief can be granted without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.